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International Court of Justice

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OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

16 July 1946

COMMISSIONER:

Mr. I.D. McIlwaith

THE POLITICAL LEADERS

(The Commission convened at 1033 hours.)

KARL OTTO KURT KAUFMANN, a witness, took the stand and testified as follows:

BY THE COMMISSIONER:

Q. Please repeat this oath after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath.)

You may sit down.

Q. What is your name?

A. Karl Otto Kurt Kaufmann.

Q. Dr. Servatius, will you tell us for whom you appear and what you will prove by this witness?

DR. SERVATIUS: I am here for the Corps of Political Leaders. The witness is to testify as a Gauleiter in regard in particular to the relationship of the Gauleiter to the higher state offices and to other Gauleiters.

COMMISSIONER: Will you continue?

BY DR. SERVATIUS:

Q. Witness, you were a Gauleiter from 1925 to ~~1938~~ 1928 in the Ruhr District and from 1928 to 1945 in Gau Hamburg. Is that correct?

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A. Yes.

Q. You joined the party in 1921 and after its dissolution you again joined it in 1925. From 1923 to 1925 meanwhile you were a ~~worker~~ miner in the Ruhr District and upper Bavaria. Is that correct?

A. Yes.

/Q. COMMISSIONER: What sort of worker?

BY THE WITNESS:

A/ I worked in mining in the Ruhr District. In upper Bavaria I was a wood worker; I was a loading worker, and I worked as an unskilled laborer in the building trade.

BY DR. SERVATIUS:

Q. What schooling did you have?

A. I attended the Oberrealschule in Wuppertal-Elberfeld up to and including the Obersekunda (Senior College).

Q. Why did you join the Party?

A. Because returning as a young soldier from the field, I recognized the urgency of the solution of the social problems as ~~a~~ problems ~~as a problem~~ of the masses.

Q. Did all members join for the same reasons or were there all sorts of groups?

A. There were different groups joining the party for different reasons.

Q. What kind of groups were those?

A. Basically ~~that~~ they can be divided into three ~~points~~ groups: The ~~jury~~ pure Nationalists, the Negative/ ~~Anti-semitic~~ by ~~by~~ and third, the socialistic group.

COMMISSIONER: I take it you mean ~~positively?~~ By negatively passively?

A. No. The reason I characterized this group as negative is because it did not have any constructive thoughts.

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BY DR. SERVATIUS:

Q. Witness, ~~xx~~ if I understand you correctly, you refer with that to the Streicher group?

? STRASSER

A. Yes.

Q. Which group did the different levels ~~tendxks~~ of the Ortsgruppenleiter, Kreisleiter and Gauleiter tend to?

A. It essentially depended upon the district they came from and the industry. The industrial district generally tended toward socialistic ideas. That also pertains to the leader groups ~~with~~ among whom I am being questioned here. That includes the typical German industrial district, Ruhr District, _____, Saxony, Hamburg, Berlin and other large cities.

Q. What was the attitude of the Supreme Party Leadership? Which group did Hitler belong to?

A. We were convinced that Hitler belonged to the Socialistic Group.

Q. And Himmler?

A. The Nationalistic Group.

Q. And Goebbels?

A. In ~~its~~ his propaganda he was Socialistic. In ~~its~~ his attitude he was an opportunist.

? STRASSER

Q. What was ~~Streicher's~~ STRASSER'S attitude?

DR. ORLOV: I believe this to be unnecessary. The operation of the leaders of the Nazi Party doesn't mean anything to us at all.

COMMISSIONER: Dr. Servatius, I don't think this witness' opinions as to the opinions of his leaders can be of any value.

DR. SERVATIUS: I believe that it is significant here how the party has conceived the attitude of the leaders. The conspiracy for the purpose of an aggressive war is being charged. That is why we must know whether those who were leading politicians believed that this was a group dealing with aggressive

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war intentions or whether it was dealing with the solution of a social problem.

COMMISSIONER: Have you asked him all the questions you are going to ask him on that subject?

DR. SERVATIUS: I wanted to ask him in regard to ~~Streicher~~ STRASSER. It is an essential point in the development of the party in regard to the question of Socialism or Nationalism

COMMISSIONER: For how many people does this witness speak?

BY DR. SERVATIUS:

Q. The witness is to give a general idea of the ideas of other Gauleiters also. He himself was Gauleiter in two Gaus. Witness, how many people were in the individual Gaus subordinate to you?

A. In the Ruhr District about 7 to 8 million and in Hamburg about 1,800,000.

COMMISSIONER: You are aware, Dr. Servatius of the provisions of paragraph 6b of the order of 13 March which states that evidence is not considered irrelevant which bears only on the particular individual's was or was not ignorant of criminal purpose and innocent of criminal activity?

DR. SERVATIUS: The purpose of this ruling is that questions only concerning one individual should not be dealt with. It is to exclude the personal defense of a witness in his affairs. But here the witness is to testify to the attitude of the party and of those Political Leaders subordinate to him which are a great mass of people.

COMMISSIONER: Very well, continue but keep it to the point.

BY DR. SERVATIUS: What was ~~Streicher's~~ STRASSER'S attitude.

A. ~~Streicher~~ STRASSER was considered by the Party as a pronounced representative of the Socialistic concept.

Q. Did the party program not make impossible these different ideas?

A. No.

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Q. Didn't the so-called party line make these differences impossible?

A. No. The different concepts of the party were not a process of constant flux which was by no means finished.

Q. Generally speaking, did the political Leaders have a uniform line?

A. The political and ideological attitudes of the political Leaders were based essentially on the resorts of the training activity of the Gauleiter.

Q. Those different attitudes in different Gaus may have been stressed?

A. No doubt that is the way it was.

Q. Why was a well organized & disciplined organization built up? Was that done for reasons of interior and foreign policy?

A. The reasons, no doubt, can be found in the history of the origin of the party. It was during a time where the armed revolt in Germany took place. I recall the revolt in the Ruhr District, in Saxony, Berlin, Hamburg and other places in Germany.

Q. Was it formed as a defense against an entire organization of the Communistic Party of Germany?

A. No. In the first place to protect the execution of its own propaganda activities.

Q. What were the leadership media of the Party?

A. Leader meetings, oral instructions and circulars. Similar things were used in the Gaus.

Q. Who manipulated these leadership media? Did all political leaders have the same possibility to employ these media?

A. In the first place, these media were manipulated by Hitler and the Reichs leadership of the Party. The Gauleiter had to interpret these directives. A certain leeway in interpreting these directives was left up to and including the Kreisleiter. But the Kreisleiter too was tied to the interpretations of the Gauleiter while. The Ortsgruppenleiter was given a very definite track as

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to the execution of his measures. Blockleiter and Zellenleiter were the executive organs of the Ortsgruppenleiter.

Q. Was the organization of Political Leiters misused for purposes which contradicted the official party line? And in particular did they ever receive secret directives pertaining to the beginning of the war?

A. The Political Leaders have executed the orders emanating from the Gauleiter up to the beginning of the war and were never given any restricted material. In any case, from recollection, I cannot remember a single such directive. During the war it was different ~~them.~~ They also received secret documents and directives and circulars. They were burdened with them. Like in every other country they appeared pertaining to the start of the war and had to be kept secret.

Q. What instructions did you and the rest of the Political Leaders receive in regard to the foreign policy of Hitler? And what conviction did the mass of the Political Leaders have?

A. We never were called in, in order to discuss or confer upon or to inquire on foreign political actions before they were executed. After the political action had been executed by way of the Reichsleiter and the Gauleiter, we were informed of it and the basis for it. Pertaining to the basic political foreign aims, we were informed of the intention of Hitler, the revision of the Versailles Treaty and the application of the right to the determination of people in disputed countries also the peaceful intentions of the government had to be stressed in the intention of the political leader, but first, they offered a general disarmament, the subsequent offer of limited armaments, and the subsequent offer of the stoppage of bombardment of open cities. That was the official instruction regarding foreign policies of the Political Leaders.

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Q. Could one observe definite precepts which would serve to bolster these appeals?

A. Precepts which served to aid these views were the offers which I told about here and of which the Political Leaders were informed. Later the fact that representatives of foreign nations were demonstratively and openly visible to the Political Leaders by participating on all national matters. I wish to stress three especially impressive events, the Reich Party days, the Olympiade, and the great holiday Congress in Hamburg. About 40 nations participated, including at the last, and they celebrated before a great public, the progress of the German social policies, that is, peace policies. I myself witnessed that event.

Q. When did that last event take place which you are telling about?

A. I believe in 1938.

Q. Were the Jews persecuted and put in a worse state in order to prepare an aggressive war?

A. In my opinion, no. The most different ideas, and ideas which in no way were unified, were found in the party as pertains to the clarification and solution of the Jewish problem. The Strasser group, the socialistic group of the party, ~~which~~ in my opinion, ~~was~~ containing the mass of the party members hoped to find a positive solution by ~~a plain economy and a newly reconstructed economy~~ planned measures under state control. It solved the Jewish problem generally as a capitalistic question. The exponents of this system there were not only Jews but also Germans. By overcoming the system they hoped to eliminate the economic influence of both of these factors. This group never agreed to the road by which the Jewish problem was handled, later perhaps in the sense of Streicher and Himmler. They were convinced that method as propagated by the "Stuermer" which by the way was prohibited in Hamberg, were not before against National Socialism. This mass which I believe was the largest part of the party members, never believed in a war as far as the Jewish problem was concerned.

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Q. Did this fight against the churches take place in order to eliminate those who were enemies of war?

A. In my concept no. The attitude toward the church problem was entirely valid in the party just as it was in the problems discussed heretofore by me. My Political Leaders in the Ruhr as well as in Hamburg were trained in practical Christianity and in true comradship and in very true ~~actual executed~~ socialism. They were not to see any differences actually. This attitude resulted in the attitude of the Political Leaders toward the church problem. In the Gau Hamburg I myself and my Political Leaders did not participate in the struggle against the church as it was customary here and there. We would neither imprison nor did we persecute ministers.

Q. Witness, we will return to these questions later. I want to hew to the line. Were pacifists, free masons and other political enemies also persecuted in order to facilitate the leading of the war?

A. The attitude of the Party leadership was transferred to us like that and also has been accepted in that manner by the Political Leaders.

COMMISSIONER: That doesn't answer the question.

DR. SERVATIUS: He hasn't finished yet. The witness has not understood the question. Have pacifists, free masons and other political enemies been persecuted in order to facilitate the leading of the war?

BY THE WITNESS:

A. No and I wanted to elucidate.

COMMISSIONER: First you should ask whether they have been persecuted to his knowledge.

DR. SERVATIUS: Mr. Commissioner, at the end I wanted to put questions pertaining to actual events in his Gau and that is when it will come out.

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COMMISSIONER: But that question should be asked in two forms. First, does he know that these people were persecuted, second, if he knows that, does he know whether it was or was it done for purposes of an aggressive war? First, does he know that these people were persecuted.

BY DR. SERVATIUS:

Q. Witness. Do you know of the persecution of pacifists, free masons and political enemies?

A. I do know that pacifists and free masonry organizations were prohibited for the reasons indicated by me and later on, particularly during the war, I became aware that obviously some pacifist leaders also were imprisoned.

Q. Did this persecution take place in order to facilitate an aggressive war?

A. In my opinion no.

Q. Witness, do you know that the unions were dissolved?

A. Yes.

Q. Did this dissolution take place in order to make impossible the resistance of the workers to an aggressive war?

A. No. The workers also had innumerable other possibilities to use organizations which were still in existence in order to fulfill this intention. If he wanted to do so, he could have used the German labor front for it as well as the unions, because the mass of membership in both organizations practically was the same. The reason for the dissolution of the trade unions, in my opinion, was to destroy the resistence against a possible intention of eventual aggressive war.

DR. ORLOV: Those are only the opinions and assumptions of this witness. He himself is in no position to state that it was so or not so because this witness did not make the policies of the ~~pol~~ Party which perhaps emanated from other people as Hitler and Himmler, and in my opinion, the opinion of the witness is of no

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interest to us but we want the facts, not assumptions.

BY THE WITNESS: The precise questions the counsel put to me I have answered clearly.

COMMISSIONER: Dr. Servatius.

DR. SERVATIUS: It is here not a matter of finding a definite deed but a definite individual which is something a definite person can testify to. Here it is a matter of clarifying a process within an organization with minimum members and pertaining to affairs which go over a long period of time. In order to bring a witness who, on the behalf of his own knowledge knows of an event, I would have to bring in thousands of witnesses. We must choose a road which is a substitute for the indifferent novel procedure, thus the witness who was an essential member of the organization should be able to testify to that which he and people subordinate to him or were his superiors, what their views were pertaining to such decrees and what their ideas were pertaining to that.

COMMISSIONER: I think Colonel Orlov protested also against your witness giving evidence of what was in the mind of the other leaders of the party. That would of course have been quite improper and you must try to confine him to facts and his own knowledge.

DR. SERVATIUS: I asked the witness what he has heard and what his impression is.

COMMISSIONER: That is all right, what he has heard, but not what he thinks that his leaders intended.

DR. SERVATIUS: The intentions of the leaders also are a subject of the procedure because these intentions are alleged to be criminal ones and the organization is to be made responsible for these intentions.

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COMMISSIONER: Dr. Servatius. If you will not keep to the point, evidence given before this Commission will be ~~thrown out~~ irrelevant. You know perfectly well that the object of bringing this witness before the Commission is to give evidence of the facts within ~~their~~ his knowledge. If you choose to go outside ~~you may as~~ that you are wasting the time of the commission. I don't want to keep interupting but in your own interest you must try and ~~give~~ ser evidence that will be valuable to the Tribunal.

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DIRECT EXAMINATION (continued)

BY DR. SERVATIUS:

Q. Had you received any directive pertaining to the lynching of flyers?

A. No, but a directive which said that if it would have been put into execution there would have been no objection to the lynching. In my belief, and also in other ~~Krise~~ Kreis police and other political leaders have received opposite directives and they behaved accordingly.

Q. Did you receive any directives for the removal of arts and treasures with regard to the Einsatzbtab Rosenberg? Do you know of any of them?

A. No, I was informed regarding the Einsatzbtab Rosenberg activities only by the press. I know they existed but I do not know what its purpose was but the same thing is true of my political leaders, of course.

Q. Did you receive directives pertaining to foreign laborers, so-called slave labor?

A. Yes.

Q. What did these directives contain?

A. Of course on the basis of the whole chain of command, political leaders did not have any influence on the employment and procurement. Other directives received contained always the recurring demand to treat them as decently as possible for reasons of productiveness and for reasons of humanity. Social work was in the foreground in the Gau leaders and the care of foreigners also came for this reason. The political leaders of the DAF and the Kreis leaders have received particular instructions from me to pay special attention for the care of foreigners at their hand. Innumerable personal visits at camps convinced me of the execution of these orders.

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Q. What were the relationship of the political leaders to the organizations SS and SA? What was the authority organizationally of the political leaders at that time?

A. Organizationally, the SS and SA were outside of the political leaders. Gau leaders, kreis leaders and ortsgruppen leaders were authorized to employ these organizations within the framework of specific party work, such as the delivery of propaganda forms and that sort of thing, to assist them in this work.

Q. What was the significance of the honorary appointment of a political leader to a service grade of such an organization?

A. Lower ranks as honorary leaders were appointed and given out by the organization leaders themselves. Hitler himself made the appointments for higher ranks. An honorary appointment did not at the same time signify a service function or authority within the organization concerned. There were several reasons for commissioning with such ranks. For instance, for service for such an organization, in order to coordinate differences between the organization, that is to say tactical reasons and similar reasons.

Q. What was the relationship between the political leaders and the Gestapo?

A. In its organization the Gestapo was centrally organized as a state within a state. The political leaders because of the mutual relationship of the organizations could not give any political or other orders to the Gestapo. There may have been cases where, not organizationally of course, but merely for personal and influential basis there might have been. The political leaders had no authority to issue those orders.

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Q. In how far was there a connection ~~xikk~~ between party and state by a so-called personal union? Is it true that ~~Kreis~~ Reichs leaders and minister leaders were together, and on the Gau level, Gau leaders and ~~Kreis leaders~~ Reichsstatthalter, as well as Gau leaders and Reich defense ~~commanders~~ Commissar? Is that correct?

A. In the first ~~party~~ time following the seizure of power, a very pronounced personal union had taken place. This personal union basically remained with the Gau leader. There were ministers who were Kreis leaders and those who were not. From the Gau leader level downward the separation of personal union between the party and state officers were out. The principle was party office and state office. Even where there was a personal union this was to be separated.

Q. In the Kreis thus, there was a separation between kreis leader and Landrat?

A. As long as there was such a thing as a personal union. Later ~~leader~~ the principle of separation was put into effect. ~~personal thing of xxxxx separation was put in union.~~

Q. Was there a separation between Ortsgruppen leader and Mayor?

A. That also had been separated, but during war time for reasons of lack of personnel, exceptions had been made.

Q. You also were a Gau leader and Kreis lea-der?

A. Yes.

Q. And also Reich defense commissioner?

A. Yes.

Q. Were these functions ~~unionised~~ united in order to facilitate preparations for war?

BY COL. ORLOV:

I believe this question unnecessary. That is the same thing we have just discussed.

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BY THE COMMISSIONER:

I think the question is permissible. I do not think the answer is of much value but that would be for the Tribunal to decide.

BY DR. SERVATIUS:

The prosecution charges that this fusion of party and state functions took place in order to facilitate the preparations.

BY THE COMMISSIONER:

That is not the point, ~~it~~ Such is whether the answer of the witness would be valuable.

BY DR. SERVATIUS:

Q. Witness, were the party, the political leaders active in your Gau in the sense which is characterized as criminal in the charges here? What happened at your Gau on the occasion of dissolution of trade unions?

A. The occupation of the trade union houses was ordered without any threats or measures taken against the union personalities. The officers were transferred into functions of the DAF.

Q. ~~What~~ In your Gau had there been a struggle against the churches?

A. Every impediment of church services ~~were~~ was prohibited. It was prohibited to compel any party member or civil servant to resign from the church. The order pertaining to the execution of ministers of the party was not executed up to and including May 1935; more than 30 ministers remained members of the party. My personal relationship to the top levels of the church, the Protestant and the Catholic, was good until then. My political leaders in the Gau were the same.

BY THE COMMISSIONER:

Dr. SERVATIUS, ~~do you~~ have you many more questions?

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BY DR. SERVATIUS:

There are only a few questions left.

Q. Witness, just what instances in your Gau pertaining to lynchings are you aware of?

A. In my Gau it is proveable that clear counter orders were issued, and in no case has it become a part of mistreatment or killing of flyers.

Q. How about the persecution of the Jews in your Gau?

A. Basically I answered this question in the first part of my statement. Personally I not only did not go along with the attempt of 1938 but by the employment of police and political leaders and Kreis leaders I have stopped it. Not a single Jew has suffered physical harm in Hamburg, and aside from a few broken windows no property damage has been done. This can be explained by the orders to the Kreis leaders that nothing should be done in this matter and that they were responsible for that within the area of their authority. I have attempted to stop the persecution of the Hamburg Jews by intervention with AMT Heydrich. My co-workers are witnesses for that. When this was rejected and I did not succeed in it I attempted to and I did succeed in seeing that Jews over 60 were not put in a gas chamber for humane reasons.

Q. Were you aware of what would happen with the Jews, that is to say they would be gassed? What ~~is to say~~ is characterized as the final ~~xxxx~~ solution of the Jewish problem?

A. My political leaders considered it at that time as a solution.

Q. Did you yourself?

A. And when I intervened and could not succeed in keeping the Jews of Hamburg in Hamburg I of course attempted to find out what would happen

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to them. The AMT Heydrich at the time declared that the Hamburg Jews would be brought to the general government. There was a large area for their settlement and that is where they would be settled. That is the official information that I got from Heydrich when I asked what was going to happen to these people.

Q. You have testified to the treatment of foreign laborers. Approximately how many such foreign laborers were in your Gau?

A. I should estimate about 60,000.

No further questions.

BY THE COMMISSIONER:

Does the prosecution wish to cross examine?

BY MAJOR MURRAY:

I do not.

BY COL. ORLOV:

I do.

BY THE COMMISSIONER:

Will you ~~talk~~ take long?

BY COL. ORLOV:

About 10 to 15 minutes.

CROSS EXAMINATION

BY COL. ORLOV:

Q. Have you read the book "Mein Kampf"?

A. Yes.

Q. Did you agree with what was written in this book?

A. I agreed with many things in it, but some of them I did not.

Q. What were the things you did not agree with?

A. With the strong stressing of the Nationalists foreign aims, and

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with the matters that are proposed in the book for the solution of the problems of the German Jews.

Q. As to the racial theories, you did agree?

A. No. I have seen from the very beginning a real danger for Germany in the realization of the racial theories.

Q. Then you ~~do~~ did not agree with Hitler's settling of international problems with arms?

A. No. I rather thought ~~of~~ a revision course was to be followed. Especially as I was well aware that the Gau of Hamburg, of which I was in charge, would suffer the same way as it suffered during the first World War largely due to international complicated wars.

Q. So you thought that these international problems and questions should have been settled by peaceful ways only?

A. Yes, that should have been the serious aim and that is my opinion.

Q. Then I have to put it to you that in all the main questions you did not agree with Hitler?

A. I can only say that is not correct because for me the most important question was the recreating of a new social order and on this point I entirely agreed with Hitler.

Q. You did not understand me. I meant to say you do not approve, do you, of the actions Hitler has taken during these last years, that is war, persecution of the Jews, execution of millions of men, women and children, etc? That you do not approve of, do you?

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A. If the history of the origin of the war as it is shown today by the ~~ally~~ allies is correct, then now I can not approve of the directions of Hitler. What I cannot approve of is the inhuman treatment of people.

Q. Have you often seen Hitler during the war?

A. I have not seen him often but I have seen him several times.

Q. Have you discussed different matters with him?

A. Yes.

Q. And have you told him that you disapproved of all those matters?

A. Only with regard to the matters of which I had knowledge ~~of~~ at that time. All those matters, Mr. Attorney, which you have referred to I have talked to him about several times.

Q. I should think that you in your capacity at the same time as Gau Leader and Kreis Leader and Reich defense commissioner should have been aware of everything that happened in your Gau?

A. Of course I had knowledge of everything that happened in my Gau with the exception of such matters as were taken by the Gestapo or the SD or the things that happened in the concentration camp. As you know there was a concentration camp in my Gau.

Q. And you had no knowledge whatever of what the Gestapo did in your Gau?

A. Beforehand I never knew anything about what they did and I only got information partially as to what had happened. I have friends that have tried to free political enemies from concentration camps. I have succeeded in freeing the former ~~Communistic~~ deputees Walter und Westfal from the concentration camps and many others.

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Q. Isn't it correct that the Chief of the Gestapo was a member of the party too?

A.* These party chiefs have changed several times in Hamburg but I suppose they had been party members.

Q. But in their capacity as party members they were ~~used as orderlies~~ your subordinates, isn't that correct?

A. In matters of organization, administration and in all cases the Gestapo men had ~~the~~ priority before the party men and ~~it~~ ~~was~~ one always covered by ~~his~~ their own organization.

Q. And what meant the ~~degree~~ decree of the coordination and unity of the state and the party and what meant the personal union in the Gau and the different areas?

A. In my opinion this decree regarding the unity of the party and the state meant that the Deputy Fuehrer Hess as representative of the party was to take part in all the assemblies of the Reich government.

Q. And in the Gaus, this was not the same?

A. It was the same with the Gaus and to a certain extent, meaning that the Gau leader in his capacity as State official was informed about measures that were to be taken and could secure therefore the coordination of the matters by the state and the matters by the party.

Q. In your Gau, were there many concentration camps?

A. There was one, Neuengamme.

Q. Have you visited this camp?

A. I have visited it four times during eleven years.

Q. What have you seen there? Everything was O.K., or wasn't it?

A. What I have seen in the camp itself was O.K, but in the labor assignment outside the camp I saw sometimes that prisoners were strongly, underfed.

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Q. Have you perhaps heard some complaints by these prisoners?

A. I have immediately taken action myself after I have seen that on the labor assignments and placements. It has then come to light that a firm which was to supply the prisoners with their already low rations had stolen part of these rations and this firm was then punished.

Q. What have you done to improve those camps?

A. I had no influence whatever with those camps but in this case I have all the same taken action with regard to the food situation of the prisoners. Even in my capacity as Gau leader and Reich defense commissioner if I wanted to visit the camp I had to have a special written permission of the RSHA.

Q. How often have you visited the Gestapo?

A. Not even once.

Q. Haven't you had some complaints as to the mistreatment by the Gestapo of some men or women?

A . I think I know of two cases.

Q. What cases were they?

A. I think I remember, no I am sure I remember, one case which was the case of Dr. Schonfelder, the 2nd of May, and in this case I have taken action immediately and got him free. And the officer who was in charge and responsible for this action was removed and punished. The second case was the case of Walter. Walter was the leader of the International League of Sailors. The foreign propaganda ~~has~~ stated that the Gestapo had ill treated this man in my presence. I therefore went there and questioned him and he answered the question with a clear "No" and afterwards I had him freed.

Q. Were you entitled therefore to interfere in all matters that happened in your Gau?

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A. No. As far as the Gestapo was concerned that is not correct. I was not entitled to interfere. However, I tried and once in a while I succeeded. In many cases I did not succeed.

Q. It may be true that you were not entitled to give orders to the Gestapo officials, but however in your capacity as the most important person in your Gau and the oldest member of the party there you doubtless had the possibility to report everything that happened either to Hitler himself or to other leaders?

A. I did not; for reasons of basic convictions, I immediately protested against the carrying out of the measures of the new organization of the Gestapo. Though I did not know what course the policy of the Gestapo would take later on, I opposed from the very beginning the establishment of the Gestapo and its being an independent organization.

Q. It is therefore correct that you did not agree with many a thing that happened in Germany during these last years? For instance, activities of the Gestapo, etc. In spite of that you have remained a Gau leader until the last moment. Was that honest?

A. In every political party there are differences as to the aims of the party and the policy that is to be followed to achieve those aims and with us there were such difference and on many matters I was in the opposition. As to the question of whether it was honest to remain in office, I can only answer that there were only two ways open to me. That is for one, to resign my duties and to take the consequences, that is to emigrate. And the other was to remain in office and to try to help the people that were in my area. I have taken the latter course, of course, and whatever may be the judgment following on this course I still think that by this means I have

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helped many a man in Hamburg.

No further questions.

BY THE COMMISSIONER:

Dr. Servatius, do you wish to ask any ~~have any further~~ questions ~~for redirect~~ re-examination?

BY DR. SERVATIUS:

No.

BY THE COMMISSIONER:

We will now adjourn for ten minutes.

(Commission then recessed at 1215 hours)

The foregoing is a true and correct transcript of the testimony of KARL OTTO KAUFMANN taken on 16 July 1946.

Marjorie Shumway
Reporter (pp. 1-11)

Roberts
Reporter (pp. 12-23)

Reporter (pp.)

CERTIFIED TO:

I. D. Griffith
Commissioner

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OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946

16 July 1946.

COMMISSIONER:

Mr. I.D. McIlwraith.

THE POLITICAL LEADERS

(The Commission convened at 1033 hours.)

KARL OTTO KURT KAUFMANN, a witness, took the stand and testified as follows:

BY THE COMMISSIONER:

Q Please repeat this oath after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath.)

You may sit down.

Q What is your name?

A Karl Otto Kaufmann.

Q Dr. Servatius, will you tell us for whom you appear and what you will prove by this witness?

DR. SERVATIUS: I am here for the Corps of Political Leaders. The witness is to testify as a Gauleiter in regard in particular to the relationship of the Gauleiter to the higher State offices and to other Gauleiters.

COMMISSIONER: Will you continue?

BY DR. SERVATIUS:

Q Witness, you were a Gauleiter from 1925 to 1928 in the Ruhr District and from 1928 to 1945 in Gau Hamburg. Is that correct?

A Yes.

Q You joined the party in 1921 and after its dissolution you again joined it in 1925. From 1923 to 1925 meanwhile you were a worker in the Ruhr District and Upper Bavaria. Is that correct?

A Yes.

COMMISSIONER: What sort of worker?

BY THE WITNESS:

A I worked in mining in the Ruhr District. In Upper Bavaria I was a

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wood worker; I was a loading worker, and I worked as an unskilled laborer in the building trade.

BY DR. SERVATIUS:

Q What schooling did you have?

A I attended the Oberrealschule in Wuppertal-Elberfeld up to and including the Obersekunda (Senior College).

Q Why did you join the Party?

A Because returning as a young soldier from the field, I recognized the urgency of the solution of the social problems as problems of the masses.

Q Did all members join for the same reasons or were there all sorts of groups?

A There were different groups joining the party for different reasons.

Q What kind of groups were those?

A Basically they can be divided into three groups: the pure nationalists, the negatively anti-semitic and third, the socialistic group.

COMMISSIONER: By negatively I take it you mean passively?

A No. The reason I characterized this group as negative is because it did not have any constructive thoughts.

BY DR. SERVATIUS:

Q Witness, if I understand you correctly, you refer with that to the Streicher group?

A Yes.

Q Which group did the different levels of the Ortsgruppenleiter, Kreisleiter and Gauleiter tend to?

A It essentially depended upon the district they came from and the industry. The industrial district generally tended toward socialistic ideas. That also pertains to the leader groups about whom I am being questioned here. That includes the typical German industrial district, Ruhr District, Saxony, Hamburg, Berlin and other large cities.

Q What was the attitude of the Supreme Party leadership? Which group did Hitler belong to?

A We were convinced that Hitler belonged to the Socialistic Group.

Q And Himmler?

A The Nationalistic Group.

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Q And Goebbels?

A In his propaganda he was Socialistic. In his attitude he was an opportunist.

Q What was Strasser's attitude?

DR. ORLOV: I believe this to be unnecessary. The operation of the leaders of the Nazi Party doesn't mean anything to us at all.

COMMISSIONER: Dr. Servatius, I don't think this witness' opinions as to the opinions of his leaders can be of any value.

DR. SERVATIUS: I believe that it is significant here how the party has conceived the attitude of the leaders. The conspiracy for the purpose of an aggressive war is being charged. That is why we must know whether those who were leading politicians believed that this was a group dealing with aggressive war intentions or whether it was dealing with the solution of a social problem.

COMMISSIONER: Have you asked him all the question you are going to ask him on that subject?

DR. SERVATIUS: I wanted to ask him in regard to Strasser. It is an essential point in the development of the party in regard to the question of Socialism or Nationalism.

COMMISSIONER: For how many people does this witness speak?

BY DR. SERVATIUS:

Q The witness is to give a general idea of the ideas of other Gauleiters also. He himself was Gauleiter in two Gaus. Witness, how many people were in the individual Gaus subordinate to you?

A In the Ruhr District about 7 to 8 million and in Hamburg about 1,800,000.

COMMISSIONER: You are aware, Dr. Servatius of the provisions of paragraph 6b of the order of 13 March which states that evidence is not considered to be irrelevant which bears only on whether a particular individual was or was not ignorant of criminal purpose and innocent of criminal activities?

DR. SERVATIUS: The purpose of this ruling is that questions only concerning one individual should not be dealt with. It is to exclude the personal defense of a witness in his affairs. But here the witness is to testify to the attitude of the party and of those Political Leaders subordinate to him which are a great mass of people.

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COMMISSIONER: Very well, continue but keep it to the point.

BY DR. SERVATIUS:

Q What was Strasser's attitude.

A Strasser was considered by the Party as a pronounced representative of the Socialistic concept.

Q Did the party program not make impossible these different ideas?

A No.

Q Didn't the so-called party line make these differences impossible?

A No. The different concepts of the party were not a process of constant flux which was by no means finished.

Q Generally speaking, did the Political Leaders have a uniform line?

A The political and idealistical attitudes of the Political Leaders were based essentially on the resorts of the training activity of the Gauleiter.

Q Those different attitudes in different Gaus may have been stressed?

A No doubt that is the way it was.

Q Why was a well organized and disciplined organization built up? Was that done for reasons of interior or foreign policy?

A The reasons, no doubt, can be found in the history of the origin of the party. It was during a time where the armed revolt in Germany took place. I recall the revolt in the Ruhr District, in Saxony, Berlin, Hamburg and other places in Germany.

Q Was it formed as a defense against an entire organization of the Communistic Party of Germany?

A No. In the first place to protect the execution of its own propaganda activities.

Q What were the leadership media of the Party?

A Leader meetings, oral instructions and circulars. Similar things were used in the Gaus.

Q Who manipulated these leadership media? Did all political leaders have the same possibility to employ these media?

A In the first place, these media were manipulated by Hitler and the Reichs leadership of the Party. The Gauleiter had to interpret these directives. A certain leeway in interpreting these directives was left up to and including the Kreisleiter. But the Kreisleiter too was tied to the interpretations of the

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Gauleiter while the Ortsgruppenleiter was given a very definite track as to the execution of his measures. Blockleiter and Zellenleiter were the executive organs of the Ortsgruppenleiter.

Q Was the organization of Political Leiters misused for purposes which contradicted the official party line? And in particular did they ever receive secret directives pertaining to the beginning of the war?

A The Political Leaders have executed the orders emanating from the Gauleiter up to the beginning of the war and were never given any restricted material. In any case, from recollection, I cannot remember a single such directive. During the war it was different. They also received secret documents and directives and circulars. They were burdened with them. Like in every other country they appeared pertaining to the start of the war and had to be kept secret.

Q What instructions did you and the rest of the Political Leaders receive in regard to the foreign policy of Hitler? And what conviction did the mass of the Political Leaders have?

A We never were called in, in order to discuss or confer upon or to inquire on foreign political actions before they were executed. After the political action had been executed by way of the Reichsleiter and the Gauleiter, we were informed of it and the basis for it. Pertaining to the basic political foreign aims, we were informed of theintention of Hitler, the revision of the Versailles Treaty and the application of the right to the determination of people in disputed countries also the peaceful intentions of the government had to be stressed in the intention of the political leader, but first, they offered a general disarmament, the subsequent offer of limited armaments, and the subsequent offer of the stoppage of bombardment of open cities. That was the official instruction regarding foreign policies of the Political Leaders.

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Q Could one observe definite precepts which would serve to bolster these appeals?

A Precepts which served to aid these views were theoffers which I told about here and of which the Political Leaders were informed. Later on the fact that representatives of foreign nations were demonstratively and openly visible to the Political Leaders by participating on all national matters. I wish to stress three especially impressive events, the Reich Party days, the Olympiade, and the great holiday Congress in Hamburg. About 40 nations participated, including at the last, and they celebrated before a great public, the progress of the German social policies, that is, peace policies. I myself witnessed that event.

Q When did that last event take place which you are telling about?

A I believe in 1938.

Q Were the Jews persecuted and put in a worse state in order to prepare an aggressive war?

A In my opinion, no. The most different ideas, and ideas which in no way were unified, were found in the party as pertains to the clarification and solution of the Jewish problem. The Strasser group, the socialist group of the party, in my opinion, containing the mass of the party members, hoped to find a positive solution by planned measures under staff control. It solved the Jewish problem generally as a capitalistic question. The exponents of this system there were not only Jews but also Germans. By overcoming the system they hoped to eliminate the economic influence of both of these factors. This group never agreed to the road by which the Jewish problem washandled, later perhaps in the sense of Streicher or Himmler. They were convinced that method as propagated by the "Stuermer" which by the way was prohibited in Hamberg, were not before against National Socialism. This mass which I believe was the largest part of the party members, never believed in a war as far as the Jewish problem was concerned.

Q Did this fight against the churches take place in order to eliminate those who were enemies of war?

A In my concept, no. The attitude toward the church problem was an entirely valid one in the party just as it was in the problems discussed heretofore by me. My Political Leaders in the Ruhr as well as in Hamburg

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were trained in practical Christianity and in true comradeship and in very true socialism. They were not to see any differences actually. This attitude resulted in the attitude of the Political Leaders toward the church problem. In the Gau Hamburg I myself and my Political Leaders did not participate in the struggle against the church as it was customary here and there. We would neither imprison nor did we persecute ministers.

Q Witness, we will return to these questions later. I want to hew to the line. Were pacifists, free masons and other political enemies also persecuted in order to facilitate the leading of the war?

A The attitude of the Party Leadership was transferred to us like that an also has been accepted in that manner by the Political Leaders.

COMMISSIONER: That doesn't answer the question.

DR. SERVATIUS: He hasn't finished yet. The witness has not understood the question. Have pacifists, free masons and other political enemies been persecuted in order to facilitate the leading of the war?

BY THE WITNESS:

No, and I wanted to elucidate.

COMMISSIONER: First you should ask whether they have been persecuted to his knowledge.

DR. SERVATIUS: Mr. Commissioner, at the end I wanted to put questions pertaining to actual events in his Gau and that is when it will come out.

COMMISSIONER: But that question should be asked in two forms. First, does he knw that these people werepersecuted, second, if he knows th t, does he know whether it was or was it done for purposes of an aggressive war? First, does he know that these people were persecuted.

BY DR. SERVATIUS:

Q Witness, do you know of thepersecution of pacifists, free masons and political enemies?

A I doknow that pacifist and free masonry organizations were prohibited for the reasons indicated by me and later on, particularly during the war, I became aware that obviously some pacifist leaders also were imprisoned.

Q Did this persecution take place in order to facilitate an aggressive war?

A In my opinion, no.

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Q Witness, do you know that the unions were dissolved?

A Yes.

Q Did this dissolution take place in order to make impossible the resistance of the workers to an aggressive war?

A No. The workers also had innumerable other possibilities to use organizations which were still in existence in order to fulfill this intention. If he wanted to do so, he could have used the German Labor front for it as well as the unions, because the mass of membership in both organizations practically was the same. The reason for the dissolution of the trade unions, in my opinion, was to destroy the resistance against apossible intention of eventual aggressive war.

DR. ORLOV: Those are only the opinions and assumptions of this witness. He himself is in no position to state that it was so or not so because this witness did not make the policies of the Party which perhaps emanated from other people as Hitler and Himmler, and, in my opinion, the opinion of the witness is of no interest to us but we want the facts, not assumptions.

BY THE WITNESS: The precise questions the counsel put to me I have answered clearly.

DR. SERVATIUS: It is here not a matter of finding a definite deed but a definite individual which is something a definite person can testify to. Here it is a matter of clarifying a process within an organization with minimum members and pertaining to affairs which go over a long period of time. In order to bring a witness, who, on behalf of his own knowledge knows of an event I would have to bring in thousands of witnesses. We must choose a road which is a substitute for the indifferent novel procedure, thus the witness who was an essential member of the organization should be able to testify to that which he and people subordinate to him or were his superiors, what their views were pertaining to such decrees and what their ideas were pertaining to that.

COMMISSIONER: I think Colonel Orlov protested against your witness giving evidence of what was in the mind of the other leaders of the party. That would of course, have been quite improper and you must try to confine him to facts and his own knowledge.

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DR. SERVATIUS: I asked the witnesswhat he has heard and what his impression is.

COMMISSIONER: That is all right, what he has heard, but not what he thinks that his leaders intended.

DR. SERVATIUS: The intentions of the leaders also are a subject of the procedure because these intentions are alleged to be criminal ones and the organization is to be made responsible for these intentions.

COMMISSIONER: Dr. Servatius. If you will not keep to the point, evidence given before this Commission will be irrelevant. You know perfectly well that the object of bringing this witness before the Commission is to give evidence of the facts within his knowledge. If you choose to go outside that you are wasting the time of the commission. I don't want to keep interrupting but in your own interest you must try and get evidence that will be valuable to the Tribunal.

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DIRECT EXAMINATION (continued)

BY DR. SERVATIUS:

Q Had you received any directives pertaining to the lynching of flyers?

A No, but a directive which said that if it would have been put into execution there would have been no objection to the lynching. In my belief and also in other Kreis police and other political leaders have received opposite directives and they behaved accordingly.

Q Did you receive any directives for the removal of arts and treasures with regard to the Einsatzstab Rosenberg? Do you know of any of them?

A No, I was informed regarding the Einsatzstab Rosenberg activities only by the press. I know they existed but I do not know what its purpose was but the same thing is true of my political leaders of course.

Q Did you receive directives pertaining to foreign laborers, so-called slave labor?

A Yes.

Q What did these directives contain?

A Of course on the basis of the whole chain of command, political leaders did not have any influence on the employment and procurement. Other directives received contained always the recurring demand to treat them as decently as possible for reasons of productiveness and for reasons of humanity. Social work was in the foreground in the Gau leaders and the care of foreigners also came for this reason. The political leaders of the DAF and the Kreis leaders have received particular instructions from me to pay special attention for the care of foreigners at their hand. Innumerable personal visits at camps convinced me of the execution of these orders.

Q What were the relationship of the political leaders to the organizations SS and SA? What was the authority organizationally of the political leaders at that time?

A Organizationally, the SS and SA were outside of the political leaders, Gau Leaders, kreis leaders and ortsgruppen leaders were authorized to employ these organizations within the framework of specific party work, such as the delivery of propaganda forms and that sort of thing, to assist them in this work.

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Q What was the significance of the honorary appointment of a political leader to a servi e grad of such an organization?

A Lower ranks as honorary le ers were appointed and given out by the organization leaders themselve . Hitler himself made the appointments for higher ranks. An honorary appointment did not at the same time signify a service function or authority within the organization concerned. There were several reasons for commissioning with such ranks. For instance, for service for such an organization, in order to coordinate differences between the organization, that is to say tactical reasons and similar reasons.

Q What was the relationship between the political leaders and the Gestapo?

A In its organization the Gestapo was centrally organized as a state within a state. The political leaders because of the mutual relationship of the organizations could not give any political or other orders to the Gestapo. There may have been cases where, not organizationally of course, but merely for personal and influential basis there might have been. The political leaders had no authority to issue these orders.

Q In how far was there a connection between party and state by a so-called personal union? Is it true that Reichs leaders and Ministers were together, and on the Gau level, Gau leader and Reichstatthalter, as well as Gau leader and Reich defense Commission. Is that correct?

A In the first time following the seizure of power a very pronounced personal union had taken place. This personal union basically remained with the Gau leader. There were ministers who were Kreis leaders and those who were not. From the Gau leader level downward the separation of personal union between the party and state officers were out. The principle was party office and state office. Even where there was a personal union this was to be separated.

Q In the Kreis thus, there was a separation between kreis leader and Landrat?

A As long as there was such a thing as a personal union. Later the principle of separation was put into effect.

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Q Was there a separation between Ortsgruppen leader and Mayor?

A That also had been separated, but during war time for reasons of lack of personnel, exceptions had been made.

Q You also were a Gau leader and Kreis leader?

A Yes.

Q And also Reich defense commissioner?

A Yes.

Q Were these functions united in order to facilitate preparations for war?

BY COL. ORLOV:

I believe this question unnecessary. That is the same thing we have just discussed.

BY THE COMMISSIONER:

I think the question is permissible. I do not think the answer is of much value but that would be for the Tribunal to decide.

BY DR. SERVATIUS:

The prosecution charges that this fusion of party and state functions took place in order to facilitate the preparations.

BY THE COMMISSIONER:

That is not the point, which is whether the answer of the witness would be valuable.

BY DR. SERVATIUS:

Q Witness, were the party, the political leaders active in your Gau in the sense which is characterized as criminal in the charges here? What happened at your Gau on the occasion of dissolution of trade unions?

A The occupation of the trade union houses was ordered without any threats or measures taken against the union personalities. The officers were transferred into functions of the DAF.

Q In your Gau had there been a struggle against the churches?

A Every impediment of church services was prohibited. It was prohibited to compel any party member of civil servant to resign from the church. The order pertaining to the execution of ministers of the party was not executed up to and including May 1935; more than 30 ministers remained members of the party. My personal relationship to the top levels of the church, the Protestant and the Catholic, was good until then. My

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political leaders in thd Gau were the same.

BY THE COMMISSIONER:

DR. SERVATIUS, have you many more questions?

BY DR. SERVATIUS:

There are only a few questions left.

Q Witness, just what instances in your Gau pertaining to lynchings are you aware of?

A In my Gau it is provable that clear counter orders were issued, and in no case has it become a part of mistreatment or killing of flyers.

Q How about the persecution of the Jews in your Gau?

A Basically I answered this question in the first part of my statement. Personally I not only did not go along with the attempt of 1938 but by the employment of police and political leaders and Kreis leaders I have stopped it. Not a single Jew has suffered physical harm in Hamburg, and aside from a few broken windows no property damage has been done. This can be explained by the orders to the Kreis leaders that nothing should be done in this matter and that they were responsible for that within the area of their authority. I have attempted to stop the persecution of the Hamburg Jews by intervention with AMT Heydrich. My co-workers are witnesses for that. When this was rejected and I did not succeed in it I attempted to and I did succeed in seeing that Jews over 60 were not put in a gas chamber for humane reasons.

Q Were you aware of what would happen with the Jews, that is to say they would be gassed? Is that what is characterized as the final solution of the Jewish problem?

A My political leaders considered it at that time as a solution.

Q Did you yourself?

A And when I intervened and could not succeed in keeping the Jews of Hamburg in Hamburg I of course attempted to find out what would happen to them. The AMT Heydrich at the time declared that the Hamburg Jews would be brought to the general government. There was alarge area for their settlement and that is where they would be settled. That is the official information that I got from Heydrich when I asked what was going to happen to these people.

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Q You have testified to the treatment of foreign laborers. Approximately how many such foreign laborers were in your Gau?

A I should estimate about 60,000.

No further questions.

BY THE COMMISSIONER:

Does the prosecution wish to cross examine?

BY MAJOR MURRAY:

I do not.

BY COL. ORLOV:

I do.

BY THE COMMISSIONER:

Will you take long?

BY COL. ORLOV:

About 10 to 15 minutes.

CROSS EXAMINATION

BY COL. ORLOV:

Q Have you read the book "Mein Kampf"?

A Yes.

Q Did you agree with what was written in this book?

A I agreed with many things in it, but some of them I did not.

Q What were the things you did not agree with?

A With the strong stressing of the Nationalists foreign aims, and

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with the matters that are proposed in the book for the solution of the problems of the German Jews.

Q As to the racial theories, you did agree?

A No. I have seen from the very beginning a real danger for Germany in the realization of the racial theories.

Q Then you did not agree with Hitler's settling of international problems with arms?

A No. I rather thought a revision course was to be followed. Especially as I was well aware that the Gau of Hamburg, of which I was in charge, would suffer the same way as it suffered during the First World War largely due to international complicated wars.

Q So you thought that these international problems and questions should have been settled by peaceful ways only?

A Yes, that should have been the serious aim and that is my opinion.

Q Then I have to put it to you that in all the main questions you did not agree with Hitler?

A I can only say that is not correct because for me the most important question was the recreating of a new social order and on this point I entirely agreed with Hitler.

Q You did not understand me. I meant to say you do not approve, do you, of the actions Hitler has taken during these last years, that is war, persecution of the Jews, execution of millions of men, women and children, etc.? That you do not approve of, do you?

A If the history of the origin of the war as it is shown today by the Allies is correct, then now I cannot approve of the directions of Hitler. What I cannot approve of is the inhuman treatmentof people.

Q Have you often seen Hitler during the war?

A I have not seen him often but I have seen him several times.

Q Have you discussed different matters with him?

A Yes.

Q And have you told him that you disapproved of all those matters?

A Only with regard to the matters of which I had knowledge at that time. All those matters, Mr. Attorney, which you have referred to I have talked to him about several times.

Q I should think that you in your capacity at the same time as Gau Leader

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and Kreis Leader and Reich defense commissioner should have been aware of everything that happened in your Gau?

A Of course I had knowledge of everything that happened in my Gau with the exception of such matters as were taken by the Gestapo or the SD or the things that happened in the concentration camp. As you know there was a concentration camp in my Gau.

Q And you had no knowledge whatever of what the Gestapo did in your Gau?

A Beforehand I never knew anything about what they did and I only got information partially as to what had happened. I have friends that have tried to free political enemies from concentration camps. I have succeeded in freeing the former Communistic deputies Walter and Westfal from the concentration camps and many others.

Q Isn't it correct that the Chief of the Gestapo was a member of the party too?

A These party chiefs have changed several times in Hamburg but I suppose they had been party members.

Q But in their capacity as party members they were your subordinates, isn't that correct?

A In matters of organization, administration and in all cases the Gestapo men had priority before the party men and were always covered by their own organization.

Q And what meant the decree of the coordination and unity of the state and the party and what meant the personal union in the Gau and the different areas?

A In my opinion this decree regarding the unity of the party and the state meant that the Deputy Fuehrer Hess as representative of the party was to take part in all the assemblies of the Reich government.

Q And in the Gaus, this was not the same?

A It was the same with the Gaus and to a certain extent, meaning that the Gau leader in his capacity as State official was informed about measures that were to be taken and could secure therefore the coordination of the matters by the State and the matters by the Party.

Q In your Gau, were there many concentration camps?

A There was one, Neuengamme.

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Q Have you visited this camp?

A I have visited it four times during eleven years.

Q What have you seen there? Everything was O.K., or wasn't it?

A What I have seen in the camp itself was O.K., but in the labor assignment outside the camp I saw sometimes that prisoners were strongly underfed.

Q Have you perhaps heard some complaints by these prisoners?

A I have immediately taken action myself after I have seen that on the labor assignments and placements. It has then come to light that a firm which was to supply the prisoners with their already low rations had stolen part of these rations and this firm was then punished.

Q What have you done to improve those camps?

A I had no influence whatever with those camps but in this case I have all the same taken action with regard to the food situation of the prisoners. Even in my capacity as Gau leader and Reich defense commissioner if I wanted to visit the camp I had to have a special written permission of the RSHA.

Q How often have you visited the Gestapo?

A Not even once.

Q Haven't you had some complaints as to the mistreatment by the Gestapo of some men or women?

A I think I know of two cases.

Q What cases were they?

A I think I remember, no, I am sure I remember, one case which was the case of Dr. Schonfelder, the 2nd of May, and in this case I have taken action immediately and got him free. And the officer who was in charge and responsible for this action was removed and punished. The second case was the case of Walter. Walter was the leader of the International League of Sailors. The foreign propaganda stated that the Gestapo had ill treated this man in my presence. I therefore went there and questioned him and he answered the question with a clear "No" and afterwards I had him freed.

Q Were you entitled therefore to interfere in all matters that happened in your Gau?

A No. As far as the Gestapo was concerned that is not correct. I was not entitled to interfere. However, I tried and once in a while I succeeded.

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In many cases I did not succeed.

Q It may be true that you were not entitled to give orders to the Gestapo officials, but however in your capacity as the most important person in your Gau and the oldest member of the party there you doubtless had the possibility to report everything that happened either to Hitler himself or to other leaders?

A I did not; for reasons of basic convictions, I immediately protested against the carrying out of the measures of the new organization of the Gestapo. Though I did not know what course the policy of the Gestapo would take later on, I opposed from the very beginning the establishment of the Gestapo and its being an independent organization.

Q It is therefore correct that you did not agree with many a thing that happened in Germany during these last years? For instance, activities of the Gestapo etc. In spite of that you have remained a Gau leader until the last moment. Was that honest?

A In every political party there are differences as to the aims of the party and the policy that is to be followed to achieve those aims and with us there were such difference and on many matters I was in the opposition. As to the question of whether it was honest to remain in office, I can only answer that there were only two ways open to me. That is for one, to resign my duties and to take the consequences, that is to emigrate. And the other was to remain in office and to try to help the people that were in my area. I have taken the latter course, of course, and whatever may be the judgment following on this course I still think that by this means I have helped many a man in Hamburg.

No further questions.

BY THE COMMISSIONER:

Dr. Servatius, do you wish to ask any questions in re-examination?

BY DR. SERVATIUS: No.

BY THE COMMISSIONER: We will now adjourn for ten minutes.

(Commission then recessed at 1215 hours)

The foregoing is a true and correct transcript of the testimony of KARL OTTO KAUFMANN taken on 16 July 1946.

Marjorie Shumway
Reporter

Roberts
Reporter

CERTIFIED TO:

I. D. McIlwraith
Commissioner